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PTO/SB/05 (03-01)

Approved for use through 10/31/2002, OMB 0651-0032

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**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. **357672000510**

First Inventor **Hirohito YAMAMOTO**

Title **ULTRASONIC ATOMIZER, ULTRASONIC
INHALER AND METHOD OF CONTROLLING
SAME**

Express Mail Label No. 

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original, and a duplicate for fee processing)
2. Applicant claims small entity status.
See 37 CFR 1.27.
3. Specification [Total Pages 60]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. Drawing(s) (35 U.S.C. 113) [Total Sheets 18]
5. Oath or Declaration [Total Pages]
 - a. Newly executed (original or copy)
 - b. Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
 - i. **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. Application Data Sheet. See 37 CFR 1.76

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation Divisional Continuation-in-part (CIP) of prior application No.: **08/313,249**

Prior application information: Examiner **Aaron J. Lewis** Group / Art Unit: **3761**

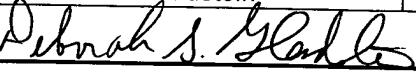
For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

Customer Number or Bar Code Label

25227

or Correspondence address below

Name					
Address					
City	State		Zip Code		
Country	Telephone		Fax		
Name (Print/Type)	Deborah S. Gladstein		Registration No. (Attorney/Agent)	43,636	
Signature				Date	July 23, 2003

FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 834.00)

Complete if Known

Application Number	Not Yet Assigned
Filing Date	July 23, 2003
First Named Inventor	Hirohito YAMAMOTO
Examiner Name	Not Yet Assigned
Group Art Unit	N/A
Attorney Docket No.	357672000510

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order Other None
 Deposit Account

Deposit Account Number

03-1952

Deposit Account Name

Morrison & Foerster LLP

The Commissioner is hereby authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION**1. BASIC FILING FEE**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	750	2001	375	Utility filing fee	750.00
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)		(\$)		750.00	

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Extra Claims	Fee from below	Fee Paid
Total Claims 8	-20** =	0.00
Independent Claims 4	-3** =	84.00
Multiple Dependent		

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)		(\$)		84.00

** or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity	Small Entity	Fee Description	Fee Paid	
1051	130	2051 65 Surcharge – late filing fee or oath		
1052	50	2052 25 Surcharge – late provisional filing fee or cover sheet		
1053	130	1053 130 Non-English specification		
1812	2,520	1812 2,520 For filing a request for ex parte reexamination		
1804	920*	1804 920* Requesting publication of SIR prior to Examiner action		
1805	1,840*	1805 1,840* Requesting publication of SIR after Examiner action		
1251	110	2251 55 Extension for reply within first month		
1252	410	2252 205 Extension for reply within second month		
1253	930	2253 465 Extension for reply within third month		
1254	1,450	2254 725 Extension for reply within fourth month		
1255	1,970	2255 985 Extension for reply within fifth month		
1401	320	2401 160 Notice of Appeal		
1402	320	2402 160 Filing a brief in support of an appeal		
1403	280	2403 140 Request for oral hearing		
1451	1,510	1451 1,510 Petition to institute a public use proceeding		
1452	110	2452 55 Petition to revive – unavoidable		
1453	1,300	2453 650 Petition to revive - unintentional		
1501	1,300	2501 650 Utility issue fee (or reissue)		
1502	470	2502 235 Design issue fee		
1503	630	2503 315 Plant issue fee		
1460	130	1460 130 Petitions to the Commissioner		
1807	50	1807 50 Processing fee under 37 CFR 1.17(q)		
1806	180	1806 180 Submission of Information Disclosure Stmt		
8021	40	8021 40 Recording each patent assignment per property (times number of properties)		
1809	750	2809 375 Filing a submission after final rejection (37 CFR 1.129(a))		
1810	750	2810 375 For each additional invention to be examined (37 CFR 1.129(b))		
1801	750	2801 375 Request for Continued Examination (RCE)		
1802	900	1802 900 Request for expedited examination of a design application		
Other fee (specify)				
*Reduced by Basic Filing Fee Paid				
SUBTOTAL (3)		(\$)		0.00

SUBMITTED BY				Complete (if applicable)
Name (Print/Type)	Deborah S. Gladstein	Registration No. (Attorney/Agent)	43,636	Telephone (703) 760-7753
Signature	<i>Deborah S. Gladstein</i>	Date		July 23, 2003

CERTIFICATE OF HAND DELIVERY

I hereby certify that this correspondence is being hand filed with the United States Patent and Trademark Office in Washington, D.C. on July 23, 2003.


N. DeRigg

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Hirohito YAMAMOTO et al.

Serial No.: New Divisional Application

Filing Date: July 23, 2003

[Divisional of 08/313,249 filed Oct. 4, 1994]

For: **ULTRASONIC ATOMIZER,
ULTRASONIC INHALER AND
METHOD OF CONTROLLING SAME**

Examiner: N/A

Group Art Unit: N/A

**REQUEST TO DELETE INVENTOR
PURSUANT TO 37 CFR 1.63(d)(2)**

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

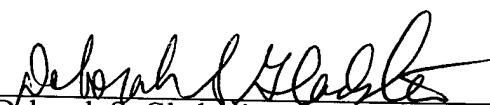
Sir:

Applicant's representative requests that Masaru OBATA be deleted as an inventor in the above-identified application. The cancellation of claims by the Preliminary Amendment filed herewith has resulted in the invention of Masaru OBATA no longer being claimed.

In the event that the Patent and Trademark Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 357672000510.

Respectfully submitted,

Dated: July 23, 2003

By: 
Deborah S. Gladstein
Registration No. 43,636

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